

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

JESUS VALENCIA-MORFIN,

Plaintiff,

Defendant.

**Case No. 2:19-CR-0111-WFN-16
CRIMINAL MINUTES**

DATE: SEPTEMBER 23, 2020**LOCATION: SPOKANE****SENTENCING HEARING**

Hon. Wm. Fremming Nielsen

Joanna L. Knutson

Courtroom Deputy

Heather Foe

Law Clerk

Allison R. Anderson

Court Reporter

Caitlin A. Baunsgard

Government Counsel

Virginia Rockwood

Defense Counsel**United States Probation Officer:** Shane L. Moore (Telephonic)**[X] Open Court****[] Chambers****[X] Telecon**

Defendant present in custody of United States Marshal with appointed counsel. Court confirmed with Defendant that with the use of the Court's hearing assist equipment he was able to hear. Defendant indicated he could. Court confirmed with Government counsel that she had no objections to the PSR and ruled on Defendant's objection. Court also confirmed with defense counsel that the Defendant had the opportunity to review the PSR and further queried Defendant as to whether he had any objections other than that already discussed; Defendant indicated he did not. The Court accepted the Presentence Investigation Report.

Counsel addressed the Court with their respective recommendations for resolution of the matter. Defendant addressed the Court. Court ACCEPTS the parties' 11(c)(1)(C) Plea Agreement. The Court determined the applicable Guideline range and reviewed the 3553 factors.

Imprisonment: 132 Months with credit for any time served**Supervised Release: 5 Years** with standard conditions **plus special conditions:**

- Search of person, vehicle, and residence
- Substance abuse evaluation and treatment/counseling, if recommended
- Abstain from controlled substances, including marijuana; Probation Officer is authorized to order up to 6 UAs
- Do not enter any establishment whose primary item of sale is alcohol; abstain from alcohol; Probation Officer authorized to order up to 6 UAs and/or Bas
- Mental health evaluation and treatment/counseling, if recommended
- Cooperate in the collection of DNA as directed by Probation Officer

Fine: Waived**Special Assessment:** \$100 – Inmate Financial Responsibility Program

Appeal rights waived by Plea Agreement including Defendant's right to file a post-conviction 2255 motion except one based upon ineffective assistance of counsel. Court agrees to write a letter to the Bureau of Prisons recommending Defendant be allowed to participate in the 500 hour drug treatment program as well as be designated to the Sheridan, Oregon facility. Defendant requested a copy of the PSR to give to his family. Government counsel objected to the request due to the sensitive nature of the content. The Court DENIED the request. Court GRANTS Government's oral motion to dismiss Count 1 of the Superseding Indictment.

CONVENED: 8:32 A.M.**ADJOURNED: 9:13 A.M.****TIME: 0:41 HR.****CALENDARED [N/A]**